

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

INSIGHT TECHNOLOGY INCORPORATED,

Plaintiff,

v.

SUREFIRE, LLC,

Defendant.

Case No. C 04-74-JD

ORDER

THE COURT having considered the parties' Joint Motion Regarding Use of Evidence, and good cause having been shown, IT IS HEREBY ORDERED:

1. If a fact witness was deposed in the matter of *Insight Technology Incorporated v. Glock Ges.m.b.H. and Glock, Inc.*, Civil Action No. 03-253-JD (the "*Glock* Action"), either party may use that witness (or his deposition) at trial, subject to the admissibility requirements of the Federal Rules of Evidence.

2. If a document or thing was obtained, produced or disclosed in the *Glock* Action, either party may use that evidence at trial, subject to the admissibility requirements of the Federal Rules of Evidence.

3. Only expert witnesses who were identified in the present action pursuant to Rule 26(a)(2) will be permitted to testify (live or by deposition) at trial in this action.

SO ORDERED.

Dated: December 8, 2007

/s/ James R. Muirhead

James R. Muirhead
United States Magistrate Judge